



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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28 May 2003

### RUS41592.E

Russia: The current treatment of Buddhists by government officials, nationalist groups, police and the general public; whether police protection is available

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According to Article 14 (2) of the Constitution of the Russian Federation, adopted on 12 December 1993, "[r]eligious associations shall be separated from the state, and shall be equal before the law" (Russia 12 Dec.1993). Article 19 (2) guarantees equal rights regardless of religion and prohibits the denial of these rights on "religious grounds" (ibid.). The right "to freedom of religious worship" is guaranteed under Article 28, and Article 29 (2) forbids the incitement of religious hatred and "religious superiority" through the use of propaganda (ibid.).

The U.S. State Department's 2002 *International Religious Freedom Report* states that although, the Constitution guarantees equality among religions and the separation of church and state, the government does not always provide for such equality (7 Oct. 2002).

The Federal Assembly of the Russian Federation in its preamble to Federal Law No. 125-FZ on the Freedom of Conscience and Religious Associations, approved on 24 September 1997, states, "having respect for the Christianity, Islam, Buddhism, Judaism and other religions constituting an integral part of the historical heritage of the peoples of Russia, believing it important to promote mutual understanding, tolerance and respect in matters of the freedom of conscience and faith, therefore,[the Assembly] adopts this federal Law" (Russia 24 Sept. 1997). The Law prevails over all other legislation regarding "the exercise of rights to the freedom of conscience and faith as well as the activities of religious associations" (ibid., Art.2 (2)).

A 23 May 2002 report on the International Coalition for Religious Freedom (ICRF) Website states that the Law on the Freedom of Conscience and Religious Associations "severely restricts religious freedom" and "effectively bans all organized religious activity and missionary work by Protestant religious denominations, non-denominational groups, charismatics, and new and small religions." However the Law recognizes the four traditional faiths -Orthodoxy, Judaism, Islam and Buddhism- as legal entities (ICRF 23 May 2002; BBC 16 Aug. 2002; CNN 17 Aug. 2002) because they "have operated in the territory of the Russian Federation on legal grounds within no less than 15 years at the time of filing" for registration (Russia 24 Sept. 1997, Art.8 (5)). The 15 year limit also entitles a religious organization such as the Buddhists "to use in its name such words as Russia, Russian, and their derivatives" (ibid.).

As of January 2001, 193 Buddhist organizations had been registered with the Ministry of Justice (*International Religious Freedom Report 2002* 7 Oct. 2002, Sec.1).

According to a 12 February 2002 ITAR-TASS news agency report, President Putin, in his greeting to Buddhists celebrating the festival of Sagaalga, stated that "[t]he spiritual values of Buddhism are a cornerstone in the age-old experience of co-existence of different religions and cultures in this country."

A 15 April 2003 article on the PR Center News Eurasia Website states that leaders of the Buddhist and Russian Orthodox faiths met with local officials in the "traditionally Buddhist republic of Kalmykia on 1 April to discuss their common 'concern' about the growing influence of religious communities they deem untraditional." The report states that Bishop Zosima (Ostapenko) of the Russian Orthodox Church "has extraordinarily harmonious relations with Kalmykia's state-sponsored Buddhists, which he puts down to a strong mutual desire for religious peace." According to an article on the official Russian Orthodox Church Website, "Russia has a rich experience of cooperation among Christianity, Islam, Judaism and Buddhism," and "Orthodox Christians, Muslims, Jews, and Buddhists - all experienced great disasters: wars, revolutions, atheistic persecution, and have come out of them a unified nation" (Russian Orthodox Church n.d.).

A 5 August 2002 report on the Catholic World News (CWNews) Website states that the Dalai Lama had been granted permission by the Russian government to visit the country. However, a 15 August 2002 Interfax news agency report states that sources at the Russian Foreign Ministry "said it was unlikely that the Dalai Lama would be issued an entry visa this year." The leader of Russia's Buddhists stated that refusing the Dalai Lama a visa "will be a violation of the constitutional rights of all Russian Buddhists." BBC News in a 16 August 2002 report states that the Dalai Lama would not be issued a Russian visitor's visa and that the decision may have been based on Russia's political relationship with China (16 Aug. 2002; CNN 17 Aug. 2002; UPI 19 Aug. 2002). The BBC report further states that the Dalai Lama had planned to visit Mongolia in September 2001 but had been refused a transit visa (16 Aug. 2002).

An August 2002 United Press International (UPI) report states that there were "mixed reactions" from the leaders of the three main Russian religions. The report quotes the deputy head of the Moscow Patriarchate's Foreign Relations Department as saying that "[w]e respect the government's right to decide whom to grant a visa and whom not" (UPI 19 Aug. 2002; Interfax 19 Aug. 2002). The Russian Supreme Mufti stated that, although it was a government matter, the nation's Buddhists should have been consulted before a decision was made (ibid.). According to the UPI report, Russia's Chief Rabbi "lashed out" at the government's decision to deny the Dalai Lama a visa (UPI 19 Aug. 2002). The Rabbi was quoted as saying that "[i]t's inadmissible to apply common bureaucratic principle in the case of a spiritual leader of a traditional religion" (ibid.). A 21 August 2002 Interfax report states that, in an open letter to President Putin, Buddhists leaders requested Putin intervene in the matter and "prevent the violation of the constitutional rights of the Buddhists of our country."

According to a 22 August 2002 Interfax report, about 140 Buddhists protested outside the Russian Foreign Ministry in response to the government's decision not to issue the Dalai Lama a visa (Interfax 22 Aug. 2002; Pravda.RU). The Interfax report states that about 50 protestors were detained (22 Aug. 2002).

No information on the current treatment of Buddhists by nationalist groups, police and the general public or on the availability of police protection could be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. Please find below the list of additional sources consulted in researching this Information Request.

#### References

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#### Additional Sources Consulted

IRB Databases

#### **Internet sites, including:**

Amnesty International

Buddhism Today

Freedom House

Freedom's Ring

Human Rights Watch

Keston Institute

PrimaNews

Religious Tolerance.org

Stetson University

World Tibet News

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